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Circular Letter: DHCQ 15-10-644

TO: Registered Marijuana Dispensaries

FROM: Eric J. Sheehan, J.D., Interim Bureau Director, BHCSQ 

SUBJECT: Policy on Sale of Accessories at Registered Marijuana Dispensaries (updated from previous Circular Letter DHCQ 15-08-637)

DATE: October 19, 2015

Pursuant to 105 CMR 725.105(N)(7), (8), Registered Marijuana Dispensaries ("RMD") are permitted to sell the following accessories to qualifying patients or their personal caregivers to facilitate the medical use of marijuana:

- Vaporizers and attachments;
- Pipes and attachments;
- Water pipes and attachments;
- Rolling papers, including wired rolling papers;
- Concentrate dabbers;
- Grinders;
- Literature, videos, and other educational materials specifically regarding the medical use of marijuana; and
- Such other devices used to facilitate the use of marijuana for medical purposes that are approved for sale by the Department upon request by a RMD.

Accessory products and packaging sold in RMDs should be consistent with the medical nature of the product and shall meet the packaging requirements in 105 CMR 725.105(E)(1), which requires marijuana to be packaged without depictions of the product, cartoons, or images other than the RMD's logo.

Accessory products and packaging shall adhere to the prohibitions in 105 CMR 725.105(L)(8) that advertising and marketing materials shall not contain:

- Any statement, design, representation, picture, or illustration that encourages or represents the use of marijuana for any purpose other than to treat a debilitating medical condition or related symptoms;
- Any statement, design, representation, picture, or illustration that encourages or represents the recreational use of marijuana;
- Any statement, design, representation, picture, or illustration related to the safety or efficacy of marijuana unless supported by substantial evidence or substantial clinical data with reasonable scientific rigor, which shall be made available upon the request of a registrant or the Department; and
- Any statement, design, representation, picture, or illustration portraying anyone under 18 years of age.

Pursuant to 105 CMR 725.105(L)(6) and (10), only one example of each accessory for sale may be on display at a RMD and accessory products shall not be displayed or clearly visible to a person from the exterior of the RMD. Sales of accessory products other than vaporizers may only occur if the RMD posts a sign no smaller than 8.5 x 11 inches in close proximity to any accessory product sales display that states: "Accessory products for medical use of marijuana only."